

Appln No. 09/722,172  
Amdt. Dated February 20, 2004  
Response to Office action of October 20, 2003

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### REMARKS/ARGUMENTS

The Office Action has been carefully considered. The issues raised are traversed and addressed below with reference to the relevant headings and paragraph numbers appearing under the Detailed Action of the Office Action.

Specification page nos 1, 2, 7, 8, 9, 13 and 19 have been amended to replace the docket numbers with the corresponding application numbers or granted serial numbers

#### *Claim Rejections – 35 USC §103*

In paragraph 1 of the Office Action, the Examiner has objected to the independent claim 1 on the basis of Ackley in view of Knighton et al.

We respectfully submit that the combined teachings of these documents does not render the current independent claim obvious.

In particular, claim 1 currently requires that the coded data is indicative of an identity of a region associated with a surface and that the device generates region identity data indicative of the identity of the region. In contrast to this, Ackley does not describe that the barcode is indicative of an identity of a region. Instead Ackley merely refers to decoding symbols on labels such as barcodes. Barcodes would typically be indicative of a product or the like to which they are attached but are typically indicative of an identity of a region associated with the surface on which they are placed. Thus for example barcodes are not to be typically used to identify an identity of a region.

In addition to this, we do not believe that Knighton et al describes an attachment arrangement for attaching a device to a writing implement. Instead, Knighton et al describes a particular configuration of writing implement which incorporates a sensing system. Accordingly, the sensing system is incorporated into the writing implement and does not include an attachment arrangement for facilitating an attachment of the device to the writing implement.

However, in order to obtain speedy allowance of the application, the Applicant has introduced further distinctions over the prior art.

In particular, the Applicant has revised claim 1 to incorporate the features of dependent claim 2 which has also been cancelled from the application.

As acknowledged by the Examiner in paragraph 2 of the Office Action, Knighton et al does not describe an attachment arrangement for attaching and detaching the device to the writing implement.

In this regard, the Examiner refers to "Kawabe" as describing an attachment arrangement for attaching and detaching to a writing implement. However, we would highlight that this relates to a clip for allowing the writing implement to be attached and detached to a pocket or the like. This is very different from the system that is utilised by the invention and does not provide any means for allowing a sensing device to be attachment and detached to a writing implement.

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In any event, we do not believe that it will be obvious to combine the teaching of Kawabe, Knighton et al and Ackley, primarily as Kawabe does not describe any form of sensing device and it would therefore not be obvious how the attachment means of Kawabe could be utilising with the sensing devices of Ackley and Knighton et al.

Furthermore, the direct teaching of a combination of these documents would be to provide a sensing device integrated into a housing, as in Knighton et al, with a clip being provided to allow the writing implement incorporating the sensing device to be attached to the body such as a pocket or the like.

In view of this, we do not believe that the combination of these documents describes an attachment arrangement for attaching and detaching a sensing device to a writing implement for use with a surface having coded data.

Thus, we do not believe that any of the prior art documents show a sensing device which is not incorporated into a housing, but rather is provided separately to the writing implement and may be attached and detached thereto utilising a suitable attachment arrangement. In view of this, we believe that the claim as revised is novel and inventive over the cited prior art.

In light of the above, it is respectfully submitted that the objections and claim rejections have been successfully traversed and addressed. The amendments do not involve adding any information that was not already disclosed in the specification, and therefore no new matter is added. Accordingly, it is respectfully submitted that the claims 1 and 3 to 14, and the application as a whole with these claims, are allowable, and a favourable reconsideration is therefore earnestly solicited.

Very respectfully,

Applicant:



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